

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re\ Application of: <b>Markus Dierker et al.</b>	Confirmation No. <b>2215</b>
Appln. No.: <b>10/553,182</b>	Examiner: <b>Brian M. Gulledge</b>
Filed: <b>July 21, 2006</b>	Group Art Unit: <b>1619</b>
For: <b>Poly-<math>\alpha</math>-Olefin-Containing Cosmetic Composition</b>	Docket No. <b>C 2647 PCT/US (P40048 USA)</b>

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO FINAL OFFICE ACTION DATED AUGUST 28, 2009  
AND  
SUMMARY OF EXAMINER INTERVIEW JANUARY 12, 2010**

Sir:

This paper is responsive to the Final Office Action dated August 28, 2009. Also included herein is a summary of the in-person Examiner interview of January 12, 2010. Submitted herewith is a request for a 2-month extension of time, together with the appropriate fee. Also submitted herewith is a Request for Continued Examination, together with the appropriate fee. Further submitted herewith is the Declaration of Markus Dierker under 37 C.F.R 1.132. If any additional fees are required to further the prosecution of this application, the Office is authorized to charge such fees to Deposit Account No. 50-1943.

**Summary of Examiner interview** begins on page 2 of this paper.

**Amendments to the claims** begin on page 3 of this paper.

**Remarks** begin on page 7 of this paper.

### **SUMMARY OF EXAMINER INTERVIEW**

An in-person interview was held at the USPTO on January 12, 2010. In attendance were Robert Henrie and Edward Brant, representing Cognis GmbH, and Examiner Brian Gullledge and Supervisory Patent Examiner Jeff Lundgren representing the USPTO. Joseph Posillico, also representing the client, joined by teleconference.

Technical arguments were presented in support of applicants' contention that the hydrocarbon mixture resulting from dehydrating polymerization of primary alcohols is materially different from the mixture of poly-alpha-olefins obtained by the art-standard process of polymerization of pure alpha-olefins. Both the different starting monomers (alcohols versus 1-alkenes) and the different processes result in different hydrocarbon product mixtures. This material difference is difficult to characterize with regard to the physical properties of the corresponding product mixtures, but is clearly demonstrated in the properties of the cosmetic emulsions produced from these two different products.

It was agreed that a Declaration under 37 C.F.R. 1.132 would be submitted in support of applicants' arguments, together with the reply to the outstanding Final Office Action.